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PATENT TRADEMARK OFFICE

Docket No: 7238/OJ504

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Application of: Leendert KOENDERMAN, et al.

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Serial No.: 09/869,208

Art Unit: 1644

TECH CENTER 1600/2900

Confirmation No.: 9804

Filed: 10/12/01

Examiner: Michail A BELYAVSKYI

For: DETECTION OF PREACTIVATED PHAGOCYTES

EXAMINER'S COURTESY COPY OF PENDING CLAIMS

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

February 12, 2003

1. (Once amended) Antigen of a phagocyte, wherein the antigen may be recognized by at least one bacteriophage as can be isolated from the strains having accession numbers CBS 101481 and 101482.

2. (Once amended) Phagocyte-recognizing agent, wherein the phagocyte-recognizing agent recognizes the antigen that is recognized by at least one bacteriophage as can be isolated from the strains having accession numbers CBS 101481 and 101482.

3. (Once amended) Phagocyte-recognizing agent according to claim 2, wherein it possesses a group having a phagocyte-deactivating activity.

4. Pharmaceutical composition comprising a phagocyte-recognizing agent capable of recognizing the antigen that is recognized by at least one bacteriophage as can be isolated from the strains having accession numbers CBS 101481 and 101482 together with a pharmaceutically acceptable excipient or carrier.

5. (Once amended) Method of detecting a preactivated phagocyte, wherein a phagocyte-recognizing agent capable of recognizing the antigen that is recognized by at least one bacteriophage as can be isolated from the strains having accession numbers CBS 101481 and 101482 is contacted with a phagocyte, and a complex formed between the phagocyte-recognizing agent and the phagocyte is detected.

6. (Once amended) Method according to claim 5, wherein the agent is capable of competing with at least one bacteriophage as can be isolated from the strains having accession numbers CBS 101481 and 101482, and a complex between the phagocyte-recognizing agent and the phagocyte is detected.

7. (Once amended) Method according to claim 6, wherein the agent is a bacteriophage.

8. (Once amended) Method according to claim 6, wherein the agent is a fluorescent agent.

9. (Once amended) Method according to claim 8, wherein the agent comprises Green or Blue Fluorescent Protein.

10. (Once amended) Method according to claim 8, wherein detection is performed by means of a Fluorescence-Activated Cell Sorter (FACS).

11. (Once amended) Method according to claim 5, wherein the detection is performed by means of an ELISA.

12. (Once amended) Method according to claim 5, wherein the phagocyte is derived from a person of which it is thought that it suffers from an affection chosen from the group consisting of i) organ-bound inflammatory diseases; ii) septic shock; iii) allergies; and iv) auto-immune diseases; or of a person having undergone a transplantation.

13. (Once amended) Method according to claim 12, wherein for detection blood from a person is lysed using an isotonic, cold NH_4Cl -solution yielding a phagocyte-containing solution.